(6)

CF300

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION No. 2630 OF 2003 Single Bench

PETITIONERS

1. Rameshwarlal Loknath Agrawal Rice Mill through the proprietor Loknath Agrawal, aged about 75 years, S/o Rameshwarlal Agrawal

2. Vishwanath & Brothers Par Boiling & Drier Plant, through the partner Krishna Kumar Agrawal, aged about 24 years, S/o Vishwanath Agrawal

3. Shravan Kumar Agrawal, Proprietorship firm through the proprietor Shravan Kumar Agrawal, aged about 53 years, S/o Loknath Agrawal

All residents of Bagbahra, District Mahasamund (Chhattisgarh)

P. R. No. 2460/03
Presented by Shri Vibha Sharma
dated 21.08.03

Versus

RESPONDENTS

1. State of Chhattisgarh through the Secretary, Department of Energy, D. K. S. Bhawan, Mantralaya, Raipur (Chhattisgarh)

2. Chhattisgarh State Electricity Board, through its Secretary, Danganiya, District Raipur (Chhattisgarh)

3. Divisional Electrical Engineer (O&M Division), MPEB, Mahasamund (Chhattisgarh)

RECEIVED COPY, 21.8.03 CLERK TO A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. PARTICULARS OF THE PETITIONERS

As mentioned in the cause title above.

XI-HC-22

(56)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.2630/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	02.09.2003	

Shri Prashant Mishra, counsel for the petitioners.

Shri Sanjay K. Agrawal, Deputy Advocate General takes notice on behalf of the State/respondents 1, 2 & 3.

Heard both the counsel.

The case of the petitioners is that petitioner No.1 is having service connection No.1889 with load capacity of 60 HP for his rice mill. Similarly, petitioners 2 and 3 are having service connections No.1896 and No.1895, respectively. The Officers of the Electricity Board conducted checking, verification of the meters installed in the premises of the petitioners, and thereafter, inflated supplementary bills were issued. On threat of disconnection, the petitioners had to make payment of the amount. Each of the petitioner submitted applications under Sections 24 & 26 (6) of the Indian Electricity Act, 1910 (hereinafter referred to as 'the Act'), raising dispute before the Divisional Electrical Inspector challenging the correctness of the supplementary energy bill on the ground that the said bills are incorrect and have been supplied by the Board on illegal and incorrect procedure. The Divisional Electrical Inspector passed orders (Annexures P-1, P-2 & P-3) in relation to each of the petitioners and the dispute was decided in favour of the petitioners. Against those orders respondent No.2 preferred an appeal before the Secretary, Department of Energy of the erstwhile State of Madhya Pradesh. The appeal was preferred under Section 36 (2) of the Act and copies of the memo of appeal are Annexure P-4. The appeals are pending since 2000 and 2002 and those appeals are not being decided.

XI-HC-22

(57)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.2630/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Learned counsel for the petitioners submits that in the circumstances, respondent No.1 be directed to decide the appeal at the earliest. Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.1 is directed to decide the appeals as early as possible, but not later than three months from today. The petitioners are at liberty to approach respondent No.1 with a copy of this order for expeditious disposal of their appeals. Accordingly, the writ petition stands disposed of. Consequently, M.(W.)P.No.2417/2003 & I.A.No.8011/2003 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	

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